

GRECO
Group of States against Corruption

**THE COUNCIL OF EUROPE
ANTI-CORRUPTION BODY**



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE



WHY IT IS IMPORTANT TO FIGHT CORRUPTION

■ Corruption threatens the rule of law, democracy and human rights, undermines good governance, fairness and social justice, distorts competition, hinders economic development and hampers growth. It endangers the stability of democratic institutions, undermines trust in public institutions as well as the moral foundations of society. No country is immune. It can negatively affect every level of government and economies at all stages of development.

■ A state whose ability to carry out its basic functions is undermined by corruption will not only see its economic performance decrease, but will also lose its population's support. Indeed, the social and economic costs of corruption always fall on civil society and gangrene the system, leading to dissatisfaction and uproars as greed fuels grievances.

FIGHTING CORRUPTION: A PRIORITY FOR THE COUNCIL OF EUROPE

■ The Council of Europe has taken an early lead in the fight against corruption, as it jeopardizes the very foundations of the core values it safeguards.

■ Over the years and starting in 1994, the Council of Europe has developed its activities to fight corruption at European level, with several milestones culminating in the creation of the Group of States against Corruption (GRECO).

Milestones

Valetta, 1994

19th Conference of European Ministers of Justice

Strasbourg, 1995

Establishment of the Multidisciplinary Group on Corruption

Strasbourg, 1996

Adoption of the Programme of Action against Corruption

Prague, 1997

21st Conference of European Ministers of Justice

Strasbourg, 1997

2nd Summit of Heads of State and Government of the Council of Europe member States

Strasbourg, 1999

Establishment of GRECO



Legal Instruments

■ To fight the scourge of corruption, the Council of Europe adopted a number of multifaceted standard setting instruments aimed at improving the capacity of States to fight corruption domestically as well as at international level, and GRECO is entrusted with monitoring compliance with these standards.


- ▶ The Criminal Law Convention on Corruption (ETS 173)
- ▶ The Civil Law Convention on Corruption (ETS 174)
- ▶ The Additional Protocol to the Criminal Law Convention on Corruption (ETS 191)
- ▶ The Twenty Guiding Principles against Corruption (Resolution (97) 24)
- ▶ The Recommendation on Codes of Conduct for Public Officials (Recommendation No. R (2000) 10) and
- ▶ The Recommendation on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (Recommendation Rec(2003)4)

WHAT IS GRECO?

■ The Group of States against Corruption (GRECO)'s objective is to improve the capacity of its members to fight corruption by monitoring their compliance with Council of Europe anti-corruption standards through a dynamic process of mutual evaluation and peer pressure. It helps to identify deficiencies in national anti-corruption policies, prompting the necessary legislative, institutional and practical reforms.

■ To this end, GRECO is assisted by a Secretariat in Strasbourg, headed by an Executive Secretary appointed by the Secretary General of the Council of Europe.

■ **Membership** in GRECO is open to all states. Since August 2010, all Council of Europe members are members of GRECO. Belarus and the United States of America are also members of GRECO. Moreover, any State which becomes Party to the Criminal or Civil Law Conventions on Corruption automatically accedes to GRECO and accepts its evaluation procedures. The only condition for full membership in GRECO is a willingness to participate fully in the mutual evaluation procedures. **GRECO is currently composed of 50 member States.**



■ The **functioning** of GRECO is governed by its Statute and Rules of Procedure. Each member State appoints up to two representatives who participate in GRECO plenary meetings with a right to vote; each member also provides GRECO with a list of experts available for taking part in GRECO's evaluations. Other Council of Europe bodies may also appoint representatives (e.g. the Parliamentary Assembly of the Council of Europe). GRECO has granted observer status to the Organisation for Economic Cooperation and Development (OECD), the United Nations (UNODC), the International Anti-Corruption Academy (IACA) and the Organisation of American States (OAS). GRECO elects its President, Vice-President and members of its Bureau who play an important role in designing GRECO's work programme and supervising the evaluation procedures.

■ GRECO is scrupulous in applying **the principle of equal rights and obligations** to all its members. Its Statute defines a master-type **procedure** which can be adapted to the different legal instruments under review.

GRECO: MONITORING ANTI-CORRUPTION

■ GRECO works in cycles, called evaluation rounds, each covering specific themes.

GRECO's **first evaluation round** (2000-2002) dealt with the independence, specialisation and means of national bodies engaged in the prevention and fight against corruption. It also dealt with the extent and scope of immunities of public officials from arrest, prosecution, etc.

The **second evaluation round** (2003-2006) focused on the identification, seizure and confiscation of corruption proceeds, the prevention and detection of corruption in public administration and the prevention of legal persons (corporations, etc) from being used as shields for corruption.

The **third evaluation round** (launched in 2007) addresses the incriminations provided for in the Criminal Law Convention on Corruption and the transparency of party funding.

The **fourth evaluation round** (launched in 2012) concentrates on the prevention of corruption in respect of members of parliament, judges and prosecutors.

The **fifth evaluation round** (launched in 2017) aims at preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies.

■ To fulfil its mission, GRECO follows a two-step procedure comprising a mutual evaluation and a compliance program, which is applied to all members for each evaluation round.



Mutual evaluation

GRECO evaluation procedures involve the collection of information through questionnaire(s), on-site country visits enabling evaluation teams to solicit further information during high-level discussions with domestic key players, and drafting of evaluation reports. These reports provide an in-depth analysis of the situation in each country and are examined and adopted by GRECO during plenary meetings. The conclusions of evaluation reports state whether legislation and practice comply with the provisions under scrutiny and may lead to recommendations which require action from the member State. The authorities are subsequently asked to report on the measures taken, which are then assessed by GRECO under a separate compliance procedure.

Compliance procedure

In the compliance procedure, GRECO monitors the implementation of the recommendations it has issued to the country in the Evaluation Report. The assessment of whether a recommendation has been implemented satisfactorily, partly or has not been implemented is based on a situation report, accompanied by supporting documents submitted by the member under scrutiny. In cases where not all recommendations have been complied with, GRECO will re-examine outstanding recommendations. Compliance reports adopted by GRECO also contain an overall conclusion on the implementation of all the recommendations, the purpose of which is to decide whether to terminate the compliance procedure in respect of a particular member. Finally, the Rules of Procedure of GRECO foresee a special procedure, based on a graduated approach, for dealing with members whose response to GRECO's recommendations has been found to be globally unsatisfactory.

GRECO MEMBER STATES

Established as an enlarged Partial Agreement, GRECO was originally composed of 17 members: Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Lithuania, Luxembourg, Romania, Slovakia, Slovenia, Spain and Sweden.

Its membership has grown steadily and GRECO is currently composed of the Council of Europe's 47 member States, the United States of America, Belarus and Kazakhstan.



INFORMATION

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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